

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TRAFFIC INFORMATION, LLC

Plaintiff,

vs.

AMERICAN HONDA MOTOR CO., INC.,
et al.

Defendants.

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Case No. 2-07CV-00391-TJW

**AGREED MOTION TO DISMISS WITH PREJUDICE
DEFENDANTS XM SATELLITE RADIO HOLDINGS INC., XM SATELLITE
RADIO INC., XM RADIO INC., AMERICAN HONDA MOTOR CO., INC., CREST
INFINITI II, L.P., NISSAN NORTH AMERICA, INC., TOYOTA MOTOR SALES,
U.S.A., INC. AND PIONEER ELECTRONICS (USA) INC.**

Plaintiff Traffic Information, LLC (~~%Traffic+~~) and defendants XM Satellite Radio Holdings Inc., XM Satellite Radio Inc., XM Radio Inc., American Honda Motor Co., Inc., Crest Infiniti II, L.P., Nissan North America, Inc., Pioneer Electronics (USA) Inc. (~~%Pioneer+~~), and Toyota Motor Sales, U.S.A., Inc. (~~%Toyota+~~) (collectively ~~%Defendants+~~) stipulate that they have reached final agreement on settlement of the claims and counterclaims made in this action and all other claims or counterclaims that might have been brought relating to U.S. Patent Nos. 6,466,862, 6,574,548 and 6,785,606, and, based upon the agreement, consent and approval of the parties, Traffic and Defendants, through their respective attorneys, move for dismissal and state as follows:

1. This Court has personal jurisdiction over Traffic and Defendants, and over the subject matter of this action.

2. Each claim made and that could have been made by Traffic against Defendants, and each counterclaim made and that could have been made by Defendants against Traffic, in this action is hereby dismissed with prejudice on the basis of the settlement reached, pursuant to Fed. R. Civ. P. 41.

3. Each party shall bear its own costs and attorneys' fees.

4. Traffic's claims against the other defendants in this action shall remain pending.

5. The Court shall retain jurisdiction over this matter to insure that the terms and conditions of the parties' settlement agreement are honored and enforced.

AGREED TO AND ACCEPTED BY:

/s/ C. Dale Quisenberry
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Counsel for Traffic Information, LLC

/s/ J. Thad Heartfield

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*Attorney on behalf of Defendants XM Satellite Radio Holdings Inc.,
XM Satellite Radio Inc., and XM Radio Inc., American Honda Motor Co., Inc.,
Crest Infiniti II, L.P., Nissan North America, Inc., Pioneer Electronics (USA) Inc.,
and Toyota Motor Sales, U.S.A., Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 10th day of January, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ J. Thad Heartfield

J. Thad Heartfield